

**City Of San Jose Building Permit
Owner Builder Application**

Date: _____
APPL./PERMIT #: _____

(Please print clearly and fill in all that apply)

PROJECT ADDRESS: _____

ASSESSOR PARCEL # _____ CITY: San Jose/Santa Clara County

☐ ARCHITECT ☐ ENGINEER

APPLICANTS NAME: _____

LICENSE/REGISTRATION #: _____

MAILING ADDRESS: _____

NAME: _____

CITY/STATE/ZIP: _____

COMPANY NAME: _____

PHONE #: (____) _____ FAX #: (____) _____

MAILING ADDRESS: _____

E-MAIL ADDRESS: _____

CITY/STATE/ZIP: _____

TENANT COMPANY NAME: _____

PHONE #: (____) _____ FAX #: (____) _____

OWNERS NAME: _____

E-MAIL ADDRESS: _____

PHONE #: (____) _____ FAX #: (____) _____

(Jurisdictions may require written approval from the owner)

PROJECT CONTACT PERSON: _____ PHONE #: (____) _____ FAX #: (____) _____

ADDRESS: _____ E-MAIL ADDRESS: _____

CONTRACTOR

LICENSE #: _____ LIC. CLASS(ES): _____ PHONE #: (____) _____

COMPANY NAME: _____ FAX #: (____) _____

ADDRESS: _____ E-MAIL ADDRESS: _____

CITY/STATE/ZIP: _____ BUSINESS LIC #: _____

Licensed Contractors Declaration: I hereby affirm *under penalty of perjury* that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. Date: _____ Contractor Signature: _____

Owner-Builder Declaration: I hereby affirm *under penalty of perjury* that I am exempt from the Contractors License Law for the following reason (Sec. 7031.5 Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for the permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9, (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500):

- ☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractor License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that the improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale).
- ☐ I, as owner of property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for the project with a contractor(s) licensed pursuant to the Contractors License Law).
- ☐ I am exempt under Sec. _____, B & P.C. for this reason _____

Date: _____ Owner Signature: _____

Workers' Compensation Declaration: I hereby affirm *under penalty of perjury* one of the following declarations:

- ☐ I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- ☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

CARRIER: _____ POLICY NO. _____

(This section need not be completed if the permit is for one hundred dollars (\$100) or less.)

- ☐ I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Date: _____ Applicant Signature: _____

WARNING: Failure to secure workers' compensation coverage is unlawful, and shall subject an employer to criminal penalties and civil fines up to one hundred thousand dollars (\$100,000), in addition to the cost of compensation, damages as provided for in Section 3706 of the Labor Code, interest, and attorney fees.

Construction Lending Agency Declaration: I hereby affirm *under penalty of perjury* that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.).

Lender's Name: _____ Lender's Address: _____

I Certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction and hereby authorize representatives of this county to enter upon the above-mentioned property for inspection purposes.

Signature of Applicant/Agent: _____ Date: _____

Printed Name of Applicant/Agent: _____

**THE FOLLOWING NOTICE IS MANDATED BY SECTION 19830
OF THE HEALTH AND SAFETY CODE OF THE
STATE OF CALIFORNIA**

Dear Property Owner:

An application for a building permit has been submitted in your name listing yourself as the builder of the property improvements specified.

For your protection you should be aware that as “owner-builder” you are the responsible party of record on such a permit. If your work is being performed by someone other than yourself, you may protect yourself from possible liability if that person applies for the proper permit in his or her name.

Contractors are required by law to be licensed and bonded by the State of California and to have a business license from the City of San Jose. They are also required by law to put their license numbers on all permits for which they apply.

If you plan to do your own work, with the exception of various trades that you plan to subcontract, you should be aware of the following information for your benefit and protection.

If you employ or otherwise engage any persons other than your immediate family, and the work (including materials and other costs) is \$200 or more for the entire project, and such persons are not licensed as contractors or subcontractors, then you may be an employer.

If you are an employer, you must register with the state and federal government as a employer and you are subject to several obligations including state and federal income tax withholding, federal social security taxes, workers’ compensation insurance, disability insurance, disability insurance costs, and unemployment compensation contributions.

There may be financial risks for you if you do not carry out these obligations, and these risks are especially serious with respect to workers’ compensation insurance.

For more specific information about your obligations under federal law, contact the Internal Revenue Service (and, if you wish, the United States Small Business Administration). For more specific information about your obligations under state law, contact the Department of Benefit Payments and the Division of Industrial Accidents.

If the structure is intended for sale, property owners who are not licensed contractors are allowed to perform their work personally or through their own employees, without a licensed contractor or subcontractor, only under limited conditions.

A frequent practice of unlicensed persons professing to be contractors is to secure an “owner-builder” building permit, erroneously implying that the property owner is providing his or her own labor and material personally. Building permits are not required to be signed by property owners unless they are performing their own work personally.

Information about licensed contractors may be obtained by contacting the Contractor’ State Licensed Board in your community, 100 Paseo de San Antonio, Room 319, San Jose, California 95113, telephone 277-1244.

Please complete and return the enclosed owner-builder verification form so that we can confirm that you are aware of these matters. The building permit will not be issued until the verification is returned.

**CITY OF SAN JOSE
BUILDING DEPARTMENT**

**THE FOLLOWING FORM IS MANDATED BY SECTION 19831
OF THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA**

ATTENTION PROPERTY OWNER OF: _____
(Property Address)

An "owner-builder" building permit has been applied for in your name and bearing your signature.

Please complete and return this information at your earliest opportunity to avoid unnecessary delay in processing and issuing your building permit. No building permit will be issued until this verification is received.

1. I personally plan to provide the major labor and materials for construction of the proposed property improvement [yes () no ()].
2. I [have () have not ()] signed an application for a building permit for the proposed work.
3. I have contracted with the following person (firm) to provide the proposed construction:

Name: _____

Address: _____

Phone: _____ Contractor's License No.: _____

4. I plan to provide portions of the work, but I have hired the following person to coordinate, supervise, and provide the major work.

Name: _____

Address: _____

Phone: _____ Contractor's License No: _____

5. I will provide some of the work, but I have contracted (hired) the following persons to provide the work indicated:

Name	Address	Phone	Type of Work
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Signed: _____ Print Name: _____

Date: _____